



Commonwealth of Massachusetts  
Executive Office of Environmental Affairs

**Department of  
Environmental Protection**

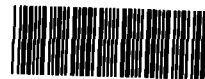
Metro Boston/Northeast Regional Office

William F. Weld  
Governor

Trudy S. Cox  
Secretary, EOE

Thomas B. Powers  
Acting Commissioner

245002



SDMS DocID

245002

OCT 17 1994

URGENT LEGAL MATTER: PROMPT REPLY NECESSARY

REQUEST FOR INFORMATION

M.G.L. C. 21E, §§ 2, 4, & 8

Certified mail, return receipt requested: # \_\_\_\_\_

Stepan Company  
Law Department  
22 Frontage Road  
Northfield, IL 60093

RE: Wilmington -  
Olin Chemical  
51 Eames Street  
RTN # 3-0471

Attn: Jeffrey W. Bartlett, Esq.  
V.P., Secretary, and  
General Counsel

Dear Mr. Bartlett:

The Massachusetts Department of Environmental Protection (DEP) is investigating a release of oil and hazardous material at the above-referenced site. Pursuant to DEP's authority to gather information, and to investigate, sample, and inspect records, conditions, equipment, practices, and property under M.G.L. c. 21E, §§ 2, 4, and 8, and 310 CMR 40.0165, you (as used in this Request for Information, the term "you" refers to Stepan Company, and any of its subsidiaries, directors, officers, employees, attorneys, agents, representatives, and/or anyone acting on behalf of it) are directed to provide DEP with the information requested below before the close of business on November 18, 1994. This deadline constitutes an Interim Deadline pursuant to 310 CMR 40.0167. If you fail to comply with this Request for Information, including but not limited to the deadline established above, you could be subject to legal action. Such action could include criminal prosecution, court-imposed civil penalties, and/or civil administrative penalties assessed by DEP.

I. Instructions

Sources of information used to respond to this Request for Information, should include, but should not be limited to, business records; environmental assessment reports prepared by you or your consultants; environmental audits analyzing facility operations and practices, and the adequacy of those systems to achieve, maintain, and monitor compliance; and past and present company publications, such as magazines, newsletters and annual reports. Interviews with present and former employees should be conducted if necessary to obtain the information requested.

A separate response must be made to each request set forth in this Request for Information. You are requested to precede each response in your reply with the number of the request to which it corresponds.

Where specific information has not been memorialized in any document but is nonetheless responsive to a request, you must respond to the request with a written response setting forth such information.

For each and every request contained herein, if information responsive to the request is not in your possession, custody or control, you must state that you do not have the information requested and, if you know, identify the persons from whom such information may be obtained.

Unless otherwise specified, you must provide a photocopy of each and every document identified in your responses to the request set forth below, unless you claim any such document is protected from disclosure.

For each and every such document which you claim is protected from disclosure, you must separate the parts of those documents which you do not claim are protected from the parts which you claim are protected, and state the nature of the protected information and the basis for your claim the document is protected from disclosure.

If any document requested is not in your possession, custody, or control, you must state that you do not have the information requested and, if you have such knowledge identify the person(s) from whom such information may be obtained.

The fact that investigation is continuing shall not excuse failure to answer each request as fully as possible. You must promptly amend or supplement any response hereto upon obtaining new information which is material to any such request or to correct any errors or omissions in any response hereto.

Please see Attachment A for the definition of terms that may help you in completing this Request for Information.

## II. Requests

1. Did you ever own or operate a manufacturing plant located at 51 Eames Street, Wilmington, Massachusetts ("the site"), doing business as National Polychemicals, Inc. ("NPI")?
2. Did you ever own or operate a manufacturing plant located at the site, doing business as Lee Patten Seed Co., Doggett-Pfeil, or Patco Products (collectively "Patco")?
3. Describe in detail the relationship of your company with NPI. Your description should include information about common ownership between you and NPI and your ownership of NPI.
4. Describe in detail the relationship of your company with Patco. Your description should include information about common ownership between you and Patco and your ownership of Patco.
5. Identify the time periods during which you owned or operated the plant, as described in Question #1 and #2, and state the date(s) on which your company began generating, storing, treating, releasing, disposing of, or transporting oil and/or hazardous material(s) to or from the site, and the time periods during which you were related to NPI or to Patco, as described in Question #3 and #4. For the remainder of these Questions, the "relevant time period" includes all of the time periods identified here.
6. Identify all persons with knowledge or information relating to the subject matter of questions #1 - #5.
7. Describe in detail operations conducted at the site during the relevant time period. Provide a detailed description of your company's practices regarding the quantity and type of oil and/or hazardous material(s) that may have been present, generated, stored, treated, released, disposed of by, or transported from or by your facility(s). For each year included in your response, your description should:
  - (a) Identify any and all persons known to you to have transported, released, disposed of, or accepted for disposal, oil and/or hazardous material in relation

to the above-referenced area. Provide the name, present or last known business address and business telephone number, and present or last known home address and home telephone number of any such person(s).

- (b) The type, composition, and quantity of, any oil and/or hazardous material(s) that had been present, generated, stored, treated, released, disposed of by, or transported from or by, your facility(s).
- (c) For all materials described in (b), identify the dates and locations at which these materials were present, generated, stored, treated, released, disposed of by, or transported from or by, your facility(s).
- (d) Identify volumes of raw materials used for each process, by products of each process (including volumes), and all plant wastes (indicating any process from which they resulted), including volumes.
- (e) Identify all documents which relate to or concern the presence, generation, storage, treatment, release, disposal, or transport of oil and/or hazardous materials at the site. Provide copies of all such documents in your possession, custody, or control. The term "document", refers to, but is not limited to any bill of lading, manifest, purchase order, contract, invoice, receipt, endorsement, check, correspondence, record book, minutes, memorandum of conversations or meetings, interoffice or intraoffice communications, photostat or other copy of any documents, microfilm or other film records, photographs, or sound recordings.

- 8. Describe any use or storage of pesticides on the site during the relevant time period. Include the trade or common name, dates of their use or storage; volumes; chemical composition and formula; location within the plant in which they were stored; and the manner in which they were used at the plant.
- 9. Identify any oil or hazardous materials used or stored on site, during the relevant time period, that are not included in your responses to Questions #7 and #8. Include trade or common names, dates of their use or storage; volumes; chemical composition and formula; location within the plant in which they were used or

stored; and the manner in which they were used at the plant.

10. Describe in detail the practices for storage, treatment, and disposal of wastes at the site during the relevant time period. Your description should include information about storage, treatment, and disposal of wastes from all plant processes and information about any waste storage, treatment, or disposal in any pits, lagoons, ponds, or impoundments at the property, including volumes of waste stored, treated, or disposed.
11. Describe the design, construction, expansion, dredging or other maintenance of any pits, lagoons, ponds, or impoundments at the site during the relevant time period.
12. Describe any spills or other releases to the environment at the site of the materials identified in response to questions #7- #9, including:
  - (a) type of material;
  - (b) quantities spilled or released;
  - (c) date of spill or release;
  - (d) location of spill or release; and
  - (e) how the spill or release occurred.
13. Describe any and all activities undertaken in response to each spill or release described in Question #12.
14. Identify all persons with knowledge or information relating to the subject matter of Question #7 - #13.
15. Describe in detail the use of drums or drum-like containers at the site for the storage or disposal of any waste, off-spec product, unused raw material, or other substance during the relevant time period.
16. Describe any instances of drum burial at the site during the relevant time period. Include:
  - (a) type of material contained in the drum;
  - (b) quantity of material and number of drums buried;
  - (c) date of burial;

(d) location of burial; and

(e) why the burial occurred.

17. Identify all persons with the knowledge or information relating to the use or burial of drums described in Question #15 and #16.
18. Did you, your parent corporation, or any other affiliated corporation supply raw materials or technical grade product to NPI? If so, describe in detail the terms of each arrangement to supply such materials, including the terms of any tolling or formulator arrangements, dates of such arrangements, and the identity of the parties to the arrangements.
19. Did you, your parent corporation, or any other affiliated corporation arrange for your (or its) products to be stored or repackaged at the site? If so, describe in detail the terms of such arrangements, including compensation to NPI for its work or for the use of space, the length of time such products were kept at the site, the location within the plant where such products were stored or repackaged, and the reason for the use of the site for such storage or repackaging.
20. Identify all persons with knowledge or information relating to your responses to Questions #18 and #19.
21. Describe in detail any assumption by you, or by any affiliated corporation, of liabilities of NPI.
22. Identify all persons who may be responsible for the liabilities of your company arising from or relating to the release or threatened release of materials and oil at the site, including but not limited to successors and individuals.
23. Identify all persons with knowledge or information relating to your response to Questions #21 and #22.
24. For each Question, provide copies of all documents containing information relating to your response to such Question.
25. Identify the current custodian and location of each document provided in response to these Questions.
26. Describe all of your efforts to obtain documents to respond to these Questions and identify each person who participated in such efforts.

27. Identify any previous owner(s) and/or operator(s) of the site.
28. Provide any other information that you have in your possession, or to which you may have access, that relates to the presence, generation, storage, treatment, release, disposal, or transport of oil and/or hazardous material(s) at, to, or from, the site.

DEP encourages you to give this matter your immediate attention and to respond within the time specified above. Your response should be sent to Valerie A. Armstrong at the letterhead address. If you have any questions regarding this Request for Information, please contact Ms. Armstrong at the address stated on the letterhead above, or by telephone at (617) 932-7600.

Sincerely,



for Richard J. Chalpin  
Regional Engineer for the  
Bureau of Waste Site Cleanup

cc: Division of Response and Remediation  
Madeline Snow, Bureau Of Waste Site Cleanup, DEP, Boston  
Wilmington Board of Health  
Wilmington Fire Department  
DEP data entry/file  
Steve Morrow, Olin Corporation, P.O. Box 248, Lower River  
Road, Charleston, TN 37310

Attachment A: Request for Information Definitions

The following definitions are provided to assist you in completing the attached Request for Information. Unless otherwise specified below, words and phrases used in this Request for Information shall have the meaning ascribed to such words and phrases by M.G.L. c. 21E, § 2, and/or 310 CMR 40.0006, the Massachusetts Contingency Plan, unless the context clearly indicates otherwise.

The following definitions shall apply to the following words and phrases as they appear in this Request for Information, unless the context clearly indicates otherwise:

Agency and agency each mean and include, in the plural as well as the singular, any agency, authority, board, commission, department, office, or political subdivision of the federal state or local government.

Communication and communication each mean, in the plural as well as the singular, any manner or form of information or message transmission, however produced or reproduced, whether by document, orally or otherwise, that is made, distributed or circulated between or among persons or data storage or processing units and may contain all documents containing, consisting of or in any way relating or referring to a communication.

Document and document each mean and include, in the plural as well as the singular, writing or recordings of any nature whatsoever within the possession, custody, or control of you (including, without limitations, attorneys, investment advisors, investment bankers and accountants) or any other person acting or purporting to act for or on behalf of you or in concert with you, including, but not limited to, contracts, agreements, communications, correspondence, telegrams, memoranda, records, reports, books, logs, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, diaries, forecasts, statistical statements, work papers, drafts, copies, graphs, charts, accounts, analytical records, minutes or records of meetings or conferences, consultant's reports, appraisals, records, reports or summaries of negotiations, press releases, drafts, notes, marginal notations, bills, invoices, checks, photographs, journals, and all other written, printed, recorded or photographic matter or sound production, however produced or reproduced.

For purposes of the foregoing, "drafts" mean any earlier preliminary, preparatory or tentative version of all or part of a document, whether or not such draft was superseded by a later draft and whether or not the terms of the final draft are the same as or different from the terms of the final document; and the term "copies" mean each and every copy of any document that is not

identical in every respect to the document being produced.

Identify and identify each mean (a) with respect to a natural person, to state the person's full name, present or last known business and home address and business and home telephone number, present or last known job title, position or business and responsibilities in that position; and his or her immediate superior, his or her superior's title or position, and his or her superior's responsibilities and immediate superior; (b) with respect to persons other than natural persons, to state its proper name or designation, the address of its principal office, legal form (i.e. corporation, partnership, etc.), and a brief description of its business; and (c) with respect to a document, to state whether that document currently is in existence, the date the document bears or bore or if undated, the date it was written; the name and address of each person who wrote it or participated in the writing of it, the name and address of each person to whom it was addressed and each person to whom a copy was identified as being directed; the name and address of each person who received a copy of the document; a description of the type of document, a detailed summary of the contents of the document, its present location or the custodian of each copy or if unknown, its last known location or custodian; and if the document is no longer in existence or no longer is in your possession, custody or control, the disposition made of it, the reason or reasons for such disposition and the date thereof.

Person and person each mean, in the plural as well as the singular, any agency or political subdivision of the federal, state or local government; any state, public or private corporation or authority; any individual, trust, firm, joint stock company, partnership, association or other entity; any officer, employee, or agent of such person; and any group of persons.

The words "and" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of the request all responses which might otherwise be construed to be outside its scope.

Z 074 924 913



## Receipt for Certified Mail

No Insurance Coverage Provided  
Do not use for International Mail  
(See Reverse)

Send to

*Stephen W.*

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P.O., State and ZIP Code

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Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing  
to Whom & Date Delivered

Return Receipt Showing to Whom,  
Date, and Addressee's Address

TOTAL Postage  
& Fees

\$

Postmark or Date

*10/18/94 JAA*

**STICK POSTAGE STAMPS TO ARTICLE TO COVER FIRST CLASS POSTAGE,  
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES (see front).**

1. If you want this receipt postmarked, stick the gummed stub to the right of the return address leaving the receipt attached and present the article at a post office service window or hand it to your rural carrier (on extra charge).

2. If you do not want this receipt postmarked, stick the gummed stub to the right of the return address of the article. Detach and retain the receipt, and mail the article.

3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the front of the article by means of the gummed ends if space permits. Otherwise, affix to back of article. Endorse front of article **RETURN RECEIPT REQUESTED** adjacent to the number.

4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse **RESTRICTED DELIVERY** on the front of the article.

5. Enter fees for the services requested in the appropriate spaces on the front of this receipt. If return receipt is requested, check the applicable blocks in item 1 of Form 3811.

6. Save this receipt and present it if you make inquiry.

105603-93-B-0210

PS Form 3800, March 1993 (Reverse)